

Report on the

BOARD OF EXAMINERS FOR SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY

Montgomery, Alabama



Department of Examiners of Public Accounts

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August 11, 2004

Representative Howard Sanderford
Chairman, Sunset Committee
Alabama State House
Montgomery, AL 36130

Dear Representative Sanderford:

This report was prepared to provide information for use by the Sunset Committee in conducting its review and evaluation of the operations of the Alabama Board of Examiners for Speech-Language Pathology and Audiology in accordance with the *Code of Alabama 1975*, Section 41-20-9.

The report contains unaudited information obtained from the management, staff, and records of the Board of Examiners for Speech-Language Pathology and Audiology in addition to information obtained from other sources.

Please contact me if you have any questions concerning this report.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald L. Jones", written in a cursive style.

Ronald L. Jones
Chief Examiner

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PROFILE

Purpose/Authority:

The Board of Examiners for Speech-Language Pathology and Audiology was created to regulate the practice of speech-language pathology and audiology in Alabama. The board licenses qualified applicants as speech-language pathologists, audiologists, and registers persons as speech pathology assistants and audiology assistants. The board sponsors continuing education programs for its licensees. The board also receives, investigates and responds to complaints against its licensees. The board operates under the authority of the *Code of Alabama 1975*, Sections 34-28A-1 through 34-28A-44.

Board Characteristics:

Members	7 members (3 audiologists) (3 speech-language pathologists) (1 consumer or member of an allied profession)
Terms	3 years, staggered – limited to two consecutive full terms
Selection	Appointed by the governor from a list of three names per vacancy submitted by the Speech and Hearing Association of Alabama (SHAA).
Qualifications	The six professional members must hold active and valid licenses; Each must have been engaged in the profession during the five years preceding appointment
Minority Race Representation	No statutory requirement No minority race representation
Consumer Representation	Section 34-28A-40 requires inclusion on the board of a member of the consuming public or a member of an allied profession. This member and all other members must be nominated by the Speech and Hearing Association of Alabama.
Geographical Representation	Statutory Requirement One member from each U.S. Congressional District
Other Representation	The <i>Code of Alabama 1975</i> , Section 34-28A-40(b) requires the membership of the board to be inclusive and reflect the racial, gender, geographic, urban/rural, and economic diversity of the state.
Compensation	No compensation for service on the board, but members are reimbursed for travel expenses in the same manner as state employees.

Operations:

Administrator	Executive Secretary – Wanda Rawlinson Annual Salary - \$32,164.60.		
Location	400 South Union Street, Suite 255 P.O. Box 304760 Montgomery, AL 36130-4760		
Examinations	National Examination in Speech-Language Pathology or Audiology. The Educational Testing Service (private company) administers the exams at accredited colleges and universities.		
Licensees		<u>5/31/2004</u>	<u>10/01/2000</u>
	Speech Pathologists	844	833
	Audiologists	205	170
	Dual	4	5
	Speech Assistants	5	4
Reciprocity	By endorsement - National credentials from American Speech and Hearing Association are generally accepted among the states.		
Renewals	License renewal fee is \$75.00. Licenses expire annually on December 31. Licensees are prohibited from providing speech- language and/or audiology services after December 31 until the license is renewed.		
Grace Period	None. If a license is not renewed by December 31, a licensee must cease/desist from practicing speech-language pathology and/or audiology. Licensees can renew their license through January 31 without incurring a late fee.		
Late Renewals	Licenses renewed after January 31 will incur a late renewal fee of \$20.00 for each month or fraction thereof that the payment is late up to a maximum of twice the regular renewal fee. Any license not renewed for a period of two years after it last expired may not be renewed, re-issued, or reinstated. Rather, its holder must apply for a new license.		
Inactive Status	A person holding a valid license and not practicing may place the license in an inactive status by request to the board and paying a fee of one-half (½) the renewal fee. A license may be held inactive for a maximum period of two years. If the licensee fails to renew after two years the license shall be revoked and becomes invalid.		

Continuing Education	<ul style="list-style-type: none"> • Speech-Language Pathologists/Audiologists 12 hours per year per license. Dual license holders must submit evidence of 24 hours of continuing education per year. • Speech-Language Pathology Aides/Audiology Aides 12 credit hours per year
Employees	Total1 Minority Race.....0
Legal Counsel	Assistant Attorney General
Subpoena Power	Yes, Both witnesses and records, <i>Code of Alabama 1975</i> , Section 34-28A-43(c)
Internet Presence	Web Site – www.abespa.org contains <ul style="list-style-type: none"> ➤ Mission ➤ Board Members ➤ Committees ➤ Rules ➤ Requirements ➤ Forms ➤ FAQs ➤ CE Event List ➤ Resources ➤ Contact ABESPA

Financial:

Source of Funds	Licensing and registration fees and fines.
State Treasury	Yes
Unused Funds	Unused funds in the board's special revenue fund at fiscal year end remain on hand for the future use of the board.

SIGNIFICANT ITEMS

1. **The Board Plans to Propose Legislation to Change the Alabama Licensing Law to Conform to Changes in the Profession.** By 2012, all degree programs for audiologists must be at the doctoral level in order to be accredited by the American Speech Language Hearing Association (ASHA). Presently, the licensing law requires a master's degree to be licensed as an audiologist.
2. **Staff not Sufficiently Responsive** - Responses to a questionnaire by eight (8) licensees indicate difficulty in having calls returned and/or getting in touch with someone when calling the board's office. Responses to a questionnaire from board members indicate the need for a part-time assistant to help the executive secretary with clerical responsibilities. The last part-time assistant resigned in August 2003 after being employed for one month. The board has one employee, and office hours are 8:00 AM to 2:30 PM.

STATUS OF PRIOR FINDINGS

All prior findings have been resolved, with the following exception.

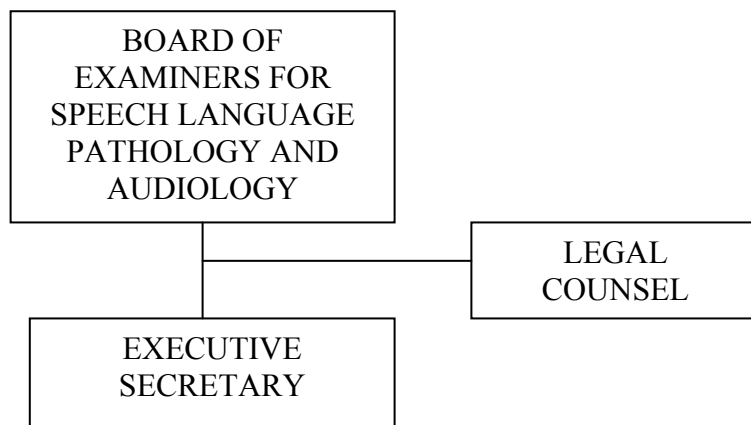
Finding

Receipts were not deposited on a regular basis. Lag times ranged from three days to two months between receipt and deposit. Deposits were held pending receipt of all necessary documents. We recommended that amounts received either be deposited promptly or returned to the sender along with the incomplete documentation.

CurrentStatus

The finding was not corrected.

ORGANIZATION



PERSONNEL

Employees by Classification With Race and Gender Noted

Classification of Employee	Race/ Gender
Executive Assistant I (Unclassified)	1W/F
Total	1W/F

B=black, W=white, F=female, M=male

Note: The employee is a full-time employee. The board's office hours are 8 A.M.-2:30 P.M.

PERFORMANCE CHARACTERISTICS

Number of Licensees (1078) per Employee (1) – 1078

Operating Expenditures Per License - \$ 83.04

Population vs. Licensees/Registrations *

	Alabama*	Georgia*	Florida*	Tennessee *	Mississippi *
Population	4,500,752	8,684,715	17,019,068	5,841,748	2,881,281
Speech-Language Pathologists	849#	5,795	4,802	1,310	877
Persons per licensee	5,301	1,498	3544	4459	3285
Audiologists	209#	3,70	749	278	138
Persons per licensee	21,535	23,472	22,722	21,013	20,878

* - State population obtained from census report, April 1 2000 to July 1, 2003. Speech Pathology /Audiology information provided by executive secretary. Source: information obtained by phone for other states.

- 5 are dual licensees.

Overlap of Board Jurisdiction with Other Entities

The State Department of Education certifies speech and hearing specialists to provide speech/language pathology and audiology services in schools. These persons are

certified according to the requirements of the Department of Education and are exempt by law from the licensure requirements of the board

Physicians or surgeons licensed by the Medical Licensure Commission may provide speech/language pathology and audiology services without being licensed by the board. Additionally, persons providing these services under direction of a physician are exempted from licensure by the board.

Persons licensed by the Board of Hearing Instrument Dealers may test, fit, and sell hearing instruments without being licensed by the Board of Speech/Language Pathology and Audiology.

Complaint Resolution

The majority of complaints are investigated by a combination of the board's credential committee chairperson (assigned board member), the executive secretary, and the assistant attorney general.

Schedule of Complaints from Complaint Files

Year Complaint Initiated/	Year Complaint Resolved				
Total # Complaints	1999/00	2000/01	2001/02	2002/03	Pending
1999/00	6				
2000/01		5			
2001/02			3		
2002/03				2	* 2

* Through May, 2004

Source for complaint Information: Board annual reports, complaint files, and the executive secretary.

Complaint Process

Investigation performed by	Executive secretary (administrative processing) Legal counsel (statutory considerations) Board member (professional protocol)
Initial Documentation	The board requires a written complaint be signed.
Disposition of complaint if formal hearing not held	If the remaining board members determine there is no necessity for further complaint procedures based on the credentials committee chairperson's report(s), and on advice of legal counsel, the remaining board members will either decide that there is <i>No probable cause</i> or a <i>Lack of evidence</i> and dismiss the complaint. If it is determined that there is cause, the board may negotiate a settlement with the licensee, resulting in a consent order issued by the board.

How anonymous complaints addressed	Anonymous complaints are not acted upon.
Investigating board member's status during hearing	Any board member involved in the investigation process is required to recuse himself/herself from the hearing process in any capacity other than as a witness.

According to the board's executive secretary, complaints are usually initially received by telephone at the board's office, and the complainant is advised that the complaint must be in writing and signed.

Notification to Licensees of Board Decisions to Amend Administrative Rules

The board complies with the requirements of the Administrative Procedure Act, and notices of the intended adoption of rules or changes to rules are published in the Administrative Monthly. Licensees are also notified of changes to board rules in the board's newsletter.

FINANCIAL INFORMATION

Schedule of Fees

<u>PURPOSE</u>	<u>FEE</u>	<u>STATUTORY AUTHORITY</u>	<u>RULE</u>
License Application	\$200.00	34-28A-27	870-x-2-.02(2)
Original License	\$ 75.00	34-28A-27	870-x-2-.02(3)
License Renewal	\$ 75.00	34-28A-27	870-x-4-.02(1)
Inactive License	\$ 37.50	34-28A-25	870-x-4-.05(1)
Replacement License	\$ 15.00	34-28A-27	870-x-4-.07
Late Renewal Penalty	\$20.00 per month up to twice the current renewal	34-28A-25 (e)	870-x-4-.03(1)
Assistant Registration	\$100.00	34-28A-27(c)	870-x-2-.06 (j)
Assistant Renewal	\$ 37.50	34-28A-27(c)	870-x-2-.05 (j)
Roster of License	\$ 15.00	Cost	(B)
Labels of License	\$ 50.00	Cost	(B)

(B) – Reduced from \$50.00 and \$100.00 respectively at July 2003 Board Meeting.

Schedule of Receipts & Disbursements

	2002-03	2001-02	2000-01	1999-00
<u>Receipts</u>				
Licenses and Fees	\$ 113,830.00	\$ 116,050.00	\$ 101,530.77	\$ 98,090.00
<u>Disbursements</u>				
Personnel Costs (1)	32,794.11	30,333.40	28,412.80	26,356.44
Employee Benefits (1)	9,566.35	8,753.02	8,027.36	7,624.99
Travel, In-State	12,443.45	9,782.29	7,038.85	7,510.80
Travel, Out-of-State	2,151.76	1,525.23	1,116.94	990.16
Repairs and Maintenance	72.00	-	-	-
Rentals and Leases	8,652.00	8,548.60	9,000.00	7,880.00
Utilities and Communication	3,942.93	3,488.83	3,658.62	2,882.67
Professional Services	3,739.21	8,874.49	6,848.67	8,852.88
Supplies, Materials & Oper. Exp.	4,652.33	4,635.37	3,829.98	4,109.74
Grants and Benefits	11,500.00	1,500.00	3,000.00	1,000.00
Non-Trans. Equip. Purchases	-	2,319.00	-	1,575.18
Total	89,514.14	79,760.23	70,933.22	68,782.86
Excess (Deficiency) of Receipts over Disbursements	24,315.86	36,289.77	30,597.55	29,307.14
Cash Balance at Beginning of Year	214,523.40	178,233.63	147,636.08	118,328.94
Cash Balance at End of Year	238,839.26	214,523.40	178,233.63	147,636.08
Reserved for Unpaid Obligations	2,316.33	1,676.00	1,742.00	750.00
Unreserved Cash Bal. at End of Year	\$ 236,522.93	\$ 212,847.40	\$ 176,491.63	\$ 146,886.08

Receipts vs. Operating Disbursements (chart)



QUESTIONNAIRES

Board Member Questionnaire

Questionnaires were sent to the seven (7) current board members and to five (5) past members whose term had expired or either resigned during the review period. Six (6) responded.

1. What are the most significant issues currently facing the Board and how is the Board addressing these issues?

- 1) Telepractice; How to handle licensing for professionals providing therapy Services via internet, tapes etc. The Board has been taking a wait & see how other states are dealing with it approach. Allowing undergraduates to provide SLP services in the schools to the youngest consumers needing the best care. All other SLPs are required to have at least a Masters Degree.
- 2) The change in the entry degree for Audiology is no longer a Master's Level but a doctorate degree. This change caused educational requirement changes that AL licensure laws do not address.
- 3) Audiology student licensure – proposing Amendments to the law to insure that educational institutions will retain control over the quality & breath of experiences to which students are exposed.
- 4) Licensing of AUD Professionals i.e.: The status of AUD candidates in terms of licensure.
- 5) The excess number of exemptions to the License Law. The rules committee is working on revising the exemption clauses of said law.
- 6) a) the CFY requirements for the audiology licensees
b) exemption free licensure

2. What changes are needed to the Speech - Language Pathology and Audiology Board laws?

- 1) I don't believe the legislature will ever change the law with regard to exemption for school personnel providing speech services. All other changes can be handled through the Board Administrative Code.
- 2) Presently the AL licensure law requires a Clinical Fellowship Year (CFY) to obtain a license. The CFY is no longer offered.
- 3) Audiology Student Licensure.
- 4) Licensing of AUD candidate.
- 5) 34-28A-21 (5), (6), The profession of Audiology has changed to requiring an doctoral degree for entry (AUD) which necessitates a change in the Law to change rules and regs.
- 6) Reduce the number and scope of exemptions.
- 7) 1) to make accommodations for the new professional audiology clinical doctorate requirements (the CFY)
2) to have no exemptions from licensure - that is, include working in public school, doctors office, etc. as still needing licensure

3. Is the Speech - Language Pathology and Audiology Board adequately funded?

 7 Yes No Unknown No Opinion

4. Is the Speech - Language Pathology and Audiology Board adequately staffed?

 2 Yes 5 No Unknown No Opinion

- 1) Additional personnel to do clerical duties is needed.
- 2) An assistant for the executive secretary is needed.
- 3) But, we could use another part-time office asst. which is being investigated.
- 4) The Executive Secretary needs a part time helper.
- 5) Wanda is overworked!

5. What is the purpose of your fiscal year end balance of unobligated funds?

- 1) Although I am no longer a current Board Member, my understanding is that these funds are surplus from proposed budget, and can be used in case of an emergency need.
- 2) To budget next year's fiscal budget so all funds are purposeful and not un-obligated.
- 3) discretionary money for unexpected expenses.
- 4) Professional Development opportunities for licenses; Board office space; Personnel; Contracted Services.
- 5) Roll over to use next fiscal year.
- 6) Roll over for future needs
- 7) To upgrade quality of professional services to the consuming public for their protection.

Licensee Questionnaire

Questionnaires were sent to 100 Audiologists and 100 Speech-Language Pathologists, 70 audiologists and 60 speech-language pathologists responded. Their responses are recorded as follows:

1. Do you think regulation of your profession by the Alabama Board of Examiners for Speech - Language Pathology and Audiology is necessary to protect public welfare?

Audiologist

64 Yes 4 No Unknown 2 No Opinion

Speech-Language pathologists

58 Yes 1 No Unknown 1 No Opinion

2. Do you think any of the Alabama Board of Examiners for Speech - Language Pathology and Audiology laws, rules, and policies are an unnecessary restriction on the practice of your profession?

Audiologists

7 Yes 58 No 3 Unknown 2 No Opinion

- 1) Regulation in many states is under a broader umbrella of Healthcare, I do not feel that ABESPA is necessary to protect public welfare.
- 2) Audiology students need to be provisionally licensed

Speech-Language pathologists

8 Yes 47 No 3 Unknown 2 No Opinion

- 1) I do feel strongly regarding CEUs being ASHA approved – should automatically be ABESPA approved. Other non-ASHA approved courses should be submitted for ABESPA approval.
- 2) SLP is the only rehab profession that does not allow CE for Admin issues – All CEU's must be "clinically relevant". It is just as important for admin to stay up on Funding, Ins. etc. This new rule has set this profession back 20 years
- 3) Need to accept a wider range of Continuing Education (e.g. research & supervision programs); Also, rather than require 12 hrs of cont. ed. each year should require 24 every 2 yrs or 36 every 3 yrs.

3. Do you think any of the Alabama Board of Examiners for Speech - Language Pathology and Audiology requirements are irrelevant to the competent practice of your profession?

Audiologist

6 Yes 58 No 6 Unknown ____ No Opinion

Speech-Language pathologists

5 Yes 49 No 4 Unknown ____ No Opinion

- 1) The CEU requirements being approved primary complaint. These ASHA courses are screened much harder and because of approval by ASHA our state (ABESPA) should also approve. Otherwise - no complaints.
 - 2) I have throughout the years have reported incompetent clinicians. I never receive acknowledgement or follow-up. These people are still practicing. Unlike the Physical Therapy Board, my complaints have been acted on swiftly & with good results. Lic laws should protect the public not dictate C.E.
4. Are you adequately informed by the Alabama Board of Examiners for Speech - Language Pathology and Audiology of changes to and interpretations of Board positions, policies, rules and laws?

Audiologist

46 Yes 11 No 11 Unknown 2 No Opinion

- 1) Since I don't know if anything has been missed or not relayed to the members this question cannot be answered.

Speech-Language pathologists

50 Yes 7 No 3 Unknown ____ No Opinion

- 1) Fairly well – would be nice to have news e-mailed. Simplify format to error bullets for quick reading if possible.
- 2) Beginning this year.
- 3) I was supervising a CFY & her temporary license expired automatically 12/31 and neither one of us was informed. She couldn't work for over a week while the Board met to approve her license. She had sent everything in weeks earlier & she been out of college only 10 months and it still expired without notice. The hospital where she works was in a big mess. They had to get coverage while she was out (which was

me) & they had to cancel her charges for the days she wasn't officially licensed. This wasn't appreciated.

5. Has the Alabama Board of Examiners for Speech - Language Pathology and Audiology performed your licensing and renewal in a timely manner?

Audiologist

65 Yes 5 No ____ Unknown ____ No Opinion

- 1) Online renewal would be an advantage.
- 2) But process of reviewing files for CEU compliance is very poorly timed

Speech-Language pathologists

54 Yes 6 No ____ Unknown ____ No Opinion

- 1) If we are required to have our license renewed by a specific date they should meet more once a month so they can renew the license in a timely manner- not 1-2 months from when you sent it in. This is why we must now renew in November – instead of the end of December. (1 month less to get CEU's for the year

6. Do you consider mandatory continuing education necessary for competent practice?

Audiologists

59 Yes 8 No ____ Unknown 3 No Opinion

- 1) Presenters should get CEU credit
- 2) Continuing education is necessary for competent practice; mandatory CE has nothing to do w/ competent practice

Speech-Language pathologists

51 Yes 6 No ____ Unknown 3 No Opinion

- 1) OT & PT allow for more latitude in CEUs; I am a mgr & Ø latitude is given for any CEU in MC or PPS, etc all part of my job; it helps my patients to know this to serve them also. 2-4 CEDs should be not ' clinical' [response # 5]
- 2) However, I think 12 hours every year is a bit much
- 3) But presentations, writing for profession journals should also count.
Adm. CEU's should be recognized

7. Has the Alabama Board of Examiners for Speech - Language Pathology and Audiology approved sufficient providers of continuing education to ensure your reasonable access to necessary continuing education hours?

Audiologist

48 Yes 13 No 2 Unknown 7 No Opinion

- 1) Audiology hours are available, but it always involves traveling & lodging expense. It would be nice if more regional opportunities were available.
- 2) They do not allow Adm. Hours.

Speech-Language pathologists

42 Yes 16 No Unknown 2 No Opinion

- 1) All ASHA approved courses should also be approved automatically by ABESPA.
 - 2) Due to cutbacks, more difficult to travel far to meet CEU requirements. We must have a variety of courses esp. at intermediate to advanced levels for our SLPs in more convenient locations.
 - 3) They do not allow Adm. Hours.
 - 4) ABESPA is far too limited in the types of continuing education hours they accept. They should accept ASHA & AAA sponsored cont. ed. hours in research, supervision and training issues for those licensees employed in those areas.
 - 5) Due to limited areas of Clinical Practice for the variety of SLP's placement.
 - 6) Shouldn't something that has been approved by ASHA automatically be approved by ABESPA?
 - 7) learning to address death and dying,
 - 8) learning about reimbursement coding and time management are essential to providing quality service to consumer.
 - 9) Shouldn't deny approval of CEU courses if it has met stringent standards of ASHA.
8. What do you think is the most significant issue(s) currently facing your profession in Alabama and what is the Alabama Board of Examiners for Speech - Language Pathology and Audiology doing to address the issue(s)?

Audiologist

- 1) Issue – School Budgets [short fall in taxes] – Adversely affects Speech – Language services
- 2) Board Action – Introduced legislation to pay Speech-Language Pathologist salaries equal to other Certified Teachers- [This has been pending for more than five years!]
- 3) Don't know.
- 4) Continuing Education Requirements – too Stringent! ABESPA doing too little to address this issue.
- 5) Speech asst's. (unknown)
- 6) technicians performing Audiology services
- 7) Reimbursement for services provided.

- 8) Unsure. But maybe future provision of services to Spanish pop.
- 9) Professional Audiology and reimbursement by third party payors. To my knowledge not much is being done, if anything.
- 10) Audiology tech status, hearing Audiology as separate entity, recognizing PASA for cont. ed grants.
- 11) We need more consumer protection the license is a professional license and offers limited protection to the consumer.
- 12) Availability of Local CE opportunities.
- 13) Entry level for Audiology is changing to a Doctorate. Current law requires CFY for licensure. The CFY (Clinical Fellowship Year) no longer a requirement for a degree. The law will have to be changed. Board is currently working on this.
- 14) Telepractice and its use in the state – now can't be monitored.
- 15) I am unaware of any significant issues facing our profession in Alabama & therefore do not know what ABESPA is doing at this time.
- 16) Educational funding – they work with state organizations to inform & educate on professional needs.
- 17) Continuing Ed.
- 18) Updating of CEU system is greatly appreciated.
- 19) I think it is outrageous that sales tax is put on hearing instruments when neighboring states consider them medical devices and therefore not taxable - Nothing.
- 20) I think state tax on hearing aids should be discontinued.
- 21) Communicating with members and answering questions/request in a timely manner; insufficient action if any at all.
- 22) Hearing instrument spec found - claiming to be audiologist
- 23) Third party reimbursements
- 24) Monitoring of hearing aid dealers who “hire” audiologists as a “consultant” then advertise business as an Audiology Practice. Usually these consultants are rarely on site.
- 25) Upgrading state laws to include new ASAA requirements for practice in Audiology.
- 26) Aud – they have made no comment I'm aware of
- 27) You had to have a “Masters” degree and a “CFY”. As an Audiologist, I had a more difficult time & ABESPA needs to change where Audiology degrees are in the Law
- 28) Reimbursement?
- 29) Equal Access to providers who are qualified & prohibiting non-qualified / dishonest practitioners from practicing
- 30) Hearing Aid dispensing by non-healthcare personnel (hearing aid dealers, not Audiologists), who do not provide appropriate follow-up services. I do not know whether the Board is currently addressing this concern.
- 31) Unnecessary regulation
- 32) Never can speak to real a person
- 33) Making sure the state has competent audiologists. They have procedures in place so the public can report any incompetent practitioners. The board then investigates the complaints and takes appropriate measures to keep public safe.

- 34) Nothing. I have sent letters to ABESPA regarding use of university Classes for continuing ed - they allowing it, but they allow 1 hr (Semester/quarter) to equate to 1 clock hr. The national body does otherwise.

The most important issue facing ABESPA at this time is development of a correct and appropriate continuing education guidelines and sufficient options for accumulating continuing education units. At present, the continuing education guidelines are not adequate for currently licensed audiologist and speech-language pathologists who are using classes for accredited universities or colleges for professional development even if the classes satisfy the criteria for proper continuing education material. The current ABESPA guidelines dictate that with regard to a post Master's level college/university class, The hours granted for continuing education will be derived from the course credit hours assigned by the education institution..." Ergo, a 3 semester or quarter hour class (tests to be taken, literature to read, papers to be written) is equivalent to that of a 3 hour workshop at a hotel conference room (no test, no literature to read and no papers to be written). So, 3 semester/quarter hours equal 3 clock hours.

Our National governing body, the American Speech-Language-Hearing Association (ASHA) has provided their members with a solid continuing education program where there are a lot of options for learning activities. The attending of college/university post Master's classes is one of the options where ASHA allows for each quarter to equal 1.0 (10 clock hours) CE unit and each semester hour equal 1.5 (15 clock hours) CE unit. Again, ABESPA allows for 1 semester/quarter hour to equal 1 clock hour. Interestingly, ABESPA requires prospective to have their (Certificate of Clinical Competence) which is granted through ASHA.

Please encourage the ABESPA board to seriously review and modify the continuing education guidelines and criteria for maintenance of licensure. I assure you, a post-Master's college /university level class (in the speech-language pathology and Audiology content area) is far more challenging than sitting in a hotel conference room drinking coffee and eating doughnuts while listening to a 3 hour lecture.

- 35) Hearing aid dealers (not audiologists) falsely Advertising & misleading the public.
36) Aud students not receiving CE's for their course work.
37) Access to continuing education (employer support) is helpful
38) ABESPA's liason of SHAA CELL is helpful.
39) Allowing non-qualified professionals (PT, OT,HA dispensers) to diagnose & treat pts dizziness, hearing loss, esp. pediatrics, etc...

Speech-Language pathologists

- 1) Salary supplement for SLP's in public schools
- 2) High cost to attend professional development activities for school clinicians
- 3) Training level for public school SLPs
- 4) Some of the Rehab companies are so money oriented that therapist are being asked to provide service in such a way that it borders or is unethical. I don't know

that ABESPA can do anything about that. I hope to never work in a Nursing Home Again.

- 5) I've not known of ABESPA lobbying for our pay to be commensurate with the requirements to become a Speech Pathologist and maintain licensure each year. It is very expensive to attend workshops & pay license fees each year. Our pay is decreasing as the requirements & fees increase. I believe ABESPA could play a big role in correcting this.
- 6) The \$5,000.00 pay supplement for SLP's like the teachers (public schools) who have certification from the National Board for Professional Teaching Standards – this issue is important for Public School SLP's. I don't know what ABASPA has done to address the issue.
- 7) Reimbursement! both at state and national levels, it is getting harder to make ends meet with continued reimbursement from Medicare, B/C B/S etc.
- 8) Caseloads in the school system. Too many children in groups - not
- 9) allowing for those who need special attention to actually have met.
- 10) ABESPA should have more communication with school districts and
- 11) hiring practices.
- 12) School districts should ensure that they are hiring licensed SLPs and participate in payment of the yearly license for their employee.
- 13) Funding of service has always been an issue; unfortunately ABEAPA is not able to nor expected to be of assistance.
- 14) Medicare caps
- 15) Would have liked to have seen teachers (SLP's in teaching position) with CCC's receive Master Teacher pay
- 16) I think we should have to renew licensure every 2 years instead of every year, also the licensure fee is expensive when we have to pay annually for our CCC's (\$180.00) also (through ASHIA) the fees combined are more than OT's & PT's have to pay.
- 17) The inflexibility with which ABESPA requires the continuing education and renewal process.
- 18) I think the most important issue right now is the effect of no child left behind on provision of speech / language services. I have no idea what ABESPA is doing to address the issue.
- 19) The need for School-based SLPs to receive National Certification pay. I am unclear about what ABESPA is doing to address this issue.
- 20) SLP's in the schools spend too much time doing Special Education paperwork that takes away from therapy time. Also caseloads are too high in the school setting.
- 21) As a public school speech-language pathologists, the biggest issue to me is that Alabama does not recognize me as nationally certified with regard to pay, although I am nationally certified. Other states recognize this and pay their nationally certified SLP's the same bonus as nationally certified teachers. Currently, there are SLP's at the state level lobbying for these benefits.
- 22) Recent changes in national certification requirements are now quite different state licensure requirements. I do not know what ABESPA is doing about these changes.

- 23) Investigating unethical practices that are reported
 - 24) Keep law & boundaries for this profession by monitoring licenses & continuing education
 - 25) Most recently, Medicare caps for PT's / SLP's were protested by ABESPA. A moratorium is on the caps for reimbursement until 2006,
 - 26) When I think ABESPA will again act in a concern manner on behalf of Alabama SLP's
 - 27) ABESPA recently increased the number of continuing ed. Hours needed per year to keep Alabama professionals comparable to those in other States.
 - 28) CCC's are not recognized in the school system, whereas teachers with National Certification receive a \$5,000.00 increase in pay. This is very frustrating, therefore many do not keep CCC's in School – there's no reason to.
 - 29) Salaries in public school. I don't know how ABESPA is involved in this issue
 - 30) Ensuring competent practioners for our profession ABESPA investigates all reports involving persons who practice w/out a license.
 - 31) Medicare reimbursement as well as other payers; unknown.
 - 32) Not aware of any issues of which the Board is addressing.
 - 33) One issue affecting us is shortage of SLPs. Not sure what ABESPA is doing.
 - 34) Role of speech pathology assistants
9. Do you think the Alabama Board of Examiners for Speech - Language Pathology and Audiology and its staff are satisfactorily performing their duties?

Audiologist

46 Yes 9 No 7 Unknown 8 No Opinion

- 1) Need more help! And availability, to long to wait for decisions.

Speech-Language pathologists

41 Yes 6 No 9 Unknown 4 No Opinion

- 1) Would like consistently 8- 4:30 - be able to reach someone who could actually help questions.
- 2) Sometimes could be helpful if more readily available by phone.
- 3) Except, I have had difficulty getting phone calls returned.
- 4) The Board does not seem to understand the scope of practice of Speech - Language Pathologist and Audiologist; slow in approving organizations to offer continuing ed. credits.
- 5) Do not need a Board if everyone is required to be ASHA certified in order to practice. Until that happens we need a Board to require rules, laws etc. in this state

- 6) It is very hard to ever contact anyone @ the office & most of the time no one returns calls either.
- 7) Would like them to be more access able in answering important questions.
- 8) Don't respond to license holders in a timely fashion.

10. Has any member of the Alabama Board of Examiners for Speech - Language Pathology and Audiology or its staff asked for money (other than normal fees), services, or any other thing of value in return for performing a Alabama Board of Examiners for Speech - Language Pathology and Audiology service for you?

Audiologist

___ Yes 68 No 1 Unknown 1 No Opinion

Speech-Language pathologists

___ Yes 60 No _____ Unknown _____ No Opinion

Complainant Questionnaire

Questionnaires were sent to fifteen persons who filed a complaint with the Board. Seven responded.

1. Was your complaint filed with the Board for Speech Language Pathology and Audiology by:

7 Mail 2 Phone Fax Other Unknown

Respondent #2 - Phone first, then mail after our concerns weren't addressed

Respondent #3 – Indicated Mail and Phone.

2. Was receipt of your complaint promptly acknowledged?

4 Yes 3 No Unknown

Respondent # 2 who selected No – "Only responded after several attempts by phone and then by mail."

Respondent # 3 who selected No – "I had to call! "

If "yes", approximately how long after you filed your complaint were you contacted by the Board of Examiners for Speech Language Pathology and Audiology ?

 Immediately 1 Within 10 days 2 Within 20 days

1 Within 30 days More than 30 days Did not respond

 Unknown

3. Was the employee who responded to your complaint knowledgeable and courteous?

4 Knowledgeable 4 Courteous 1 Neither 1 Unknown

➤ Three respondents made two selections – knowledgeable & courteous.

4. Did the Board of Examiners for Speech Language Pathology and Audiology communicate the results of investigating your complaint to you?

 6 Yes No 1 Unknown

➤ Respondent who selected yes – "After a significant amount of time."

➤ Respondent who selected unknown – "Not yet."

5. Do you think the Board of Examiners for Speech Language Pathology and Audiology did everything it could to resolve your complaint?

 4 Yes 3 No Unknown

6. Were you satisfied with your dealings with the Board of Examiners for Speech Language Pathology and Audiology ?

 2 Yes 2 No Unknown 3 No Response

APPENDIXES

Enabling Statutes

CHAPTER 28A. SPEECH PATHOLOGISTS AND AUDIOLOGISTS.

ADMINISTRATIVE CODE

21 Ala. Admin. Code 870-X-7-.01 et seq., Board of Examiners for Speech Pathology and Audiology; Scope of Practice.

CASENOTES

1. Generally

The dispensing of hearing aids, although in the broadest sense is in competition with private enterprise, is a function which is reasonably related to and promotive of the educational, research, and service mission of a modern university. *Churchill v. Board of Trustees of University of Alabama in Birmingham*, 409 So.2d 1382 (Ala.1982). Colleges And Universities 5

ARTICLE 1. GENERAL PROVISIONS.

REFERENCES

CROSS REFERENCES

As to professional corporations, see §§ 10-4-380 et seq.

As to unincorporated professional associations, see §§ 10-10-1 et seq.

As to council on animal and environmental health, see § 22-2-9.

As to veterinarian's lien, see § 35-11-390.

As to licenses for persons practicing veterinary surgery, see § 40-12-178.

§ 34-28A-1. Definitions. [AL ST SEC 34-28A-1]

Current through End of 2003 Organizational, Regular and 1st Special Session.

Historical Notes

For the purposes of this chapter, the following terms shall have the meanings respectively ascribed by this section:

(1) Association. The Speech and Hearing Association of Alabama.

(2) Audiologist. An individual who practices audiology and who presents himself

or herself to the public by any title or description of services incorporating the words audiologist, hearing clinician, hearing therapist, or any similar title or description of service.

(3) Audiology. The application of principles, methods and procedures or measurement, testing, evaluation, prediction, consultation, counseling, instruction, habilitation, or rehabilitation related to hearing and disorders of hearing for the purpose of evaluating, identifying, preventing, ameliorating, or modifying such disorders and conditions in individuals or groups of individuals, or both, and may include, but is not limited to, consultation regarding noise control and hearing conservation, as well as evaluation of noise environments and calibration of measuring equipment used for such purposes. For the purpose of this subdivision the words "habilitation" and "rehabilitation" include, but are not limited to, hearing aid evaluation and application, preparation of ear impressions, auditory training, and speech reading.

(4) Board. The Alabama Board of Examiners for Speech-Language Pathology and Audiology established under Section 34-28A-40.

(5) Person. Any individual, organization, or corporate body. Only an individual may be licensed under this chapter.

(6) Speech-language pathologist. Any person who examines, evaluates, remediates, uses preventive measures, or counsels persons suffering or suspected of suffering from disorders or conditions affecting speech or language. A person is deemed to be a speech-language pathologist when he or she practices speech pathology and/or if he or she offers those services to the public under any title incorporating the words "speech pathology," "speech pathologist," "speech-language pathology," "speech-language pathologist," "speech correction," "speech correctionist," "speech therapy," "speech therapist," "speech clinic," "speech clinician," "voice therapist," "language therapist," "aphasia therapist," "communication disorders specialist," "communication therapist," or any similar title or description of service.

(7) Speech pathology or speech-language pathology. The application of principles, methods, and procedures for the measurement, testing, evaluation, prediction, counseling, instruction, habilitation, or rehabilitation related to the development and disorders of speech, voice, or language for the purpose of evaluating, preventing, ameliorating, or modifying such disorders and conditions in individuals or groups of individuals, or both.

(8) Speech-language pathology assistant and audiology assistant. Those persons meeting the minimum qualifications that may be established by the Board of Examiners for Speech-Language Pathology and Audiology and who work directly under the supervision of a speech-language pathologist or audiologist, respectively. The qualifications for registration as an assistant shall be less than those prescribed for a speech-language pathologist or audiologist.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, § 2; Acts 1997, No. 97-160, p. 218, § 3.)

HISTORICAL NOTES

HISTORY

Amendment notes:

The 1997 amendment, effective March 26, 1997, redesignated subdivisions (1) through (8) as subdivisions (6), (7), (2), (3), (8), (4), (5), and (1), respectively; substituted "or groups of individuals, or both," for "and/or groups of individuals" throughout; in subdivision (2), as so redesignated, inserted "or herself", in subdivision (4), as so redesignated, substituted "Alabama Board of Examiners for Speech-Language" for "State Board of Examiners for Speech", in subdivision (5), as so redesignated, substituted ". Only" for "; except, that only", in subdivision (6), as so redesignated, inserted "-language" preceding "pathologist" in two places, inserted "or she" in two places, substituted "those" for "such" and inserted "'speech-language pathology,' 'speech-language pathologist,'" in subdivision (7), as so redesignated, inserted "or speech-language pathology", and in subdivision (8), as so redesignated, substituted "Speech-language" for "Speech", substituted "assistant" for "aide" throughout, substituted "Speech-Language" for "speech" and substituted "speech-language" for "speech" in two places; and made nonsubstantive changes.

§ 34-28A-2. Declaration of policy and legislative intent. [AL ST SEC 34-28A-2]

Current through End of 2003 Organizational, Regular and 1st Special Session.

Historical Notes

It is declared that the practice of speech-language pathology and audiology is a privilege which is granted to qualified persons by legislative authority in the interest of public health, safety, and welfare, and, in enacting this law, it is the intent of the Legislature to require educational training and licensure of any person who engages in the practice of speech-language pathology or audiology, or both, to encourage better educational training programs, to prohibit the unauthorized and unqualified practice of speech-language pathology or audiology, or both, and the unprofessional conduct of persons licensed to practice speech-language pathology and audiology and to provide for enforcement of this chapter and penalties for its violation. To help insure the availability of the highest possible quality speech-language pathology or audiology services, or both, to the communicatively handicapped people of the state, it is necessary to provide regulatory authority over persons offering speech-language pathology and audiology services to the public.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, § 1; Acts 1997, No. 97-160, p. 218, § 3.)

HISTORICAL NOTES

HISTORY

Amendment notes:

The 1997 amendment, effective March 26, 1997, substituted "speech-language" for "speech" throughout; substituted "or audiology, or both" for "and/or audiology," in two places, substituted "or audiology services, or both" for "and/or audiology services," and made nonsubstantive changes.

§ 34-28A-3. Persons and practices exempt from chapter. [AL ST SEC 34-28A-3]

Nothing in this chapter shall be construed as preventing or restricting any of the following:

- (1) Physicians or surgeons or persons under their supervision from engaging in the examining, testing, and diagnosing of speech and audio defects in this state.
- (2) A hearing instrument fitter and seller (dealer) from engaging in the practice of fitting, testing, and selling hearing instruments in this state. Chapter 14 of this title shall not be repealed or affected in any way.
- (3) Any person licensed in this state by any other law from engaging in the profession or occupation for which he or she is licensed.
- (4) The activities and services of a person who holds a valid and current credential as a speech or hearing specialist, or both, issued by the Department of Education of this state or a person who is employed as a speech-language pathologist or audiologist by the government of the United States, if the person performs speech-language pathology and audiology services solely within the confines or under the jurisdiction of the organization by which he or she is employed. The person may, without obtaining a license under this chapter, consult with or disseminate his or her research findings and other scientific information to speech-language pathologists or audiologists, or both, outside the jurisdiction of the organization by which he or she is employed. The person may also offer lectures to the public for a fee, monetary or other, without being licensed under this chapter. These persons may additionally elect to be subject to and licensed under the provisions of this chapter.
- (5) The activities and services of persons pursuing a course of study or training, or both, in speech-language pathology or audiology, or both, at a college or university, if those activities and services constitute a part of a supervised course of study or training, or both, at that institution of higher learning and the person is designated as an intern, trainee, or by other title clearly indicating the training status appropriate to his or her level of training.
- (6) The activities and services of a person fulfilling the clinical fellowship experience requirement of Section 34-28A-21, if the activities and services constitute a part of the experience required for that section's fulfillment.
- (7) The performance of speech-language pathology or audiology services, or both, in this state by any person not a resident of this state who is not licensed under this chapter, if the services are performed for no more than seven days in any calendar year and in cooperation with a speech-language pathologist or audiologist licensed under this chapter and if the person meets the qualifications and requirements for application for licensure described herein. However, a person not a resident of this state who is not licensed under this chapter but who is licensed under the law of another state which has established licensure requirements at least equivalent to those established by Section 34-28A-21 or who is the holder of the American Speech and Hearing Association (ASHA) certificate of clinical competence in speech-language pathology or audiology or its equivalent may offer speech-language pathology or audiology services in this state for no more than 30 days in any calendar year, if the services are performed in cooperation with a speech-language pathologist or audiologist licensed under this chapter.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, § 4; Acts 1997, No. 97-160, p. 218, § 3.)

HISTORICAL NOTES

HISTORY

Amendment notes:

The 1997 amendment, effective March 26, 1997, substituted "speech-language" for "speech" preceding "pathology" or "pathologist" throughout; inserted "or she" following "he" throughout; inserted "or her" following "his" throughout; in the introductory matter inserted "any of the following", in subdivision (2) substituted "instrument" for "aid" and substituted "instruments" for "aids", in subdivision (4), in the first sentence substituted "or hearing specialist, or both," for "and/or hearing specialist" and substituted "the" for "such", in the second sentence substituted "The" for "However, such" and substituted "or audiologists, or both," for "and/or audiologists", in the third sentence substituted "The" for "Such", and in the fourth sentence substituted "These" for "Such", in subdivision (5) substituted "or" for "and/or" in three places, inserted ", or both," in three places, substituted "those" for "such", substituted "the" for "such" following "learning and" and deleted "such" preceding "title clearly", in subdivision (6) substituted "the" for "such" preceding "activities and services" and substituted a concluding period for "; or", and in subdivision (7) substituted "or audiology services, or both," for "and/or audiology services" and substituted "the" for "such" in three places; and made nonsubstantive changes.

REFERENCES

LIBRARY REFERENCES

American Digest System:

Physicians and Surgeons ☒5(1), 6(1).

Corpus Juris Secundum:

C.J.S. Physicians, Surgeons, and other Health-Care Providers §§ 2-3, 5, 11-15, 18, 28.

§ 34-28A-4. Prohibited acts; penalty for violations of provisions of chapter; enforcement of chapter; assistance of board by Attorney General; disposition of fines collected for violations of chapter. [AL ST SEC 34-28A-4]

Current through End of 2003 Organizational, Regular and 1st Special Session.

[Historical Notes](#) [References](#)

(a) Any person who practices or offers to practice the profession of speech-language pathology or audiology without being licensed or exempted in accordance with this chapter, or any person who uses in connection with his or her name or otherwise assumes, uses or advertises any title or description tending to convey the impression that he or she is a speech-language pathologist or audiologist without being licensed or exempted in accordance with this chapter, or any person who presents or attempts to use as his or her own the license of another, or any person who gives any false or forged

evidence of any kind to the board or any member thereof in obtaining a license, or any person who attempts to use an expired or revoked license or any person, firm, partnership, or corporation, or any person who violates any of the provisions of this chapter, shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) for each offense.

(b) The board, or the person or persons as may be designated by the board to act in its stead, may prefer charges for any of the violations of this chapter in any county in this state in which the violations may have occurred. All duly constituted officers of the law of this state or any political subdivision thereof shall enforce this chapter and prosecute any persons, firms, partnerships, or corporations violating the same.

(c) The Attorney General of the state and his or her assistants shall act as legal advisers of the board and render legal assistance as may be necessary in carrying out this chapter.

(d) All fines collected for the violation of any provisions of this chapter shall be paid over to the secretary of the board to be delivered by him or her to the State Treasury and placed in the Speech-Language Pathology and Audiology Fund in the same manner as funds received for the issuance of licenses.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, § 17; Acts 1997, No. 97-160, p. 218, § 3.)

HISTORICAL NOTES

HISTORY

Amendment notes:

The 1997 amendment, effective March 26, 1997, in subsection (a) substituted "practices or offers" for "shall practice or offer", substituted "speech-language" for "speech" in two places, deleted "the provisions of" in two places, substituted "uses" for "shall use", inserted "or her" in two places, substituted "uses or advertises" for "use or advertise", inserted "or she", substituted "presents or attempts" for "present or attempt", substituted "gives" for "shall give", substituted "attempts" for "shall attempt" preceding "to use and expired", substituted "violates" for "shall violate", substituted "one hundred dollars (\$100)" for "\$100.00", and substituted "five hundred dollars (\$500)" for "\$500.00"; in subsection (b) substituted "the" for "such" in two places, substituted "may" for "is empowered to", substituted "All" for "It shall be the duty of all", and substituted "shall enforce this chapter and" for "to enforce the provisions of this chapter and to"; in subsection (c) inserted "or her", deleted "such" following "render", and deleted "the provisions of" preceding "this chapter"; in subsection (d) substituted "delivered by him or her to the State Treasury and" for "by him delivered to the State Treasury to be", and substituted "Speech-Language" for "speech"; and made nonsubstantive changes.

REFERENCES

ADMINISTRATIVE CODE

21 Ala. Admin. Code 870-X-6-.01 et seq., Board of Examiners for Speech Pathology and Audiology; Code of Ethics.

LIBRARY REFERENCES

American Digest System:

Physicians and Surgeons 6(1, 11.5).

Corpus Juris Secundum:

C.J.S. Physicians, Surgeons, and other Health-Care Providers §§ 2-3, 5, 11, 14-15, 28, 33.

§ 34-28A-5. Proceedings to enjoin or restrain violations of chapter. [AL ST SEC 34-28A-5]

Current through End of 2003 Organizational, Regular and 1st Special Session.

[Historical Notes](#) [References](#)

The board, the Attorney General, or the local district attorney may apply to the circuit court in the county in which a violation of this chapter is alleged to have occurred for an order enjoining or restraining the commission or continuance of the acts complained of. Thereupon, the court has jurisdiction over the proceedings and may grant any temporary or permanent injunction or restraining order, without bond, as it deems just and proper. The remedy provided by this section is in addition to and independent of any other remedies available for the enforcement of this chapter.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, § 16; Acts 1997, No. 97-160, p. 218, § 3.)

HISTORICAL NOTES

HISTORY


Amendment notes:

The 1997 amendment, effective March 26, 1997, substituted "any" for "such", and made nonsubstantive changes.

REFERENCES

LIBRARY REFERENCES

American Digest System:

Injunction  89(5).

Corpus Juris Secundum:

C.J.S. Injunctions §§ 133-135.

§ 34-28A-6. Construction of chapter. [AL ST SEC 34-28A-6]

Current through End of 2003 Organizational, Regular and 1st Special Session.

[Historical Notes](#)

(a) This chapter shall not be construed to repeal Chapter 14 of this title.

(b) This chapter shall in no way be construed to restrain trade nor to restrict any entrepreneur or the free enterprise system.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, §§ 18, 20; Acts 1997, No. 97-160, p. 218, § 3.)

HISTORICAL NOTES

HISTORY

Amendment notes:

The 1997 amendment, effective March 26, 1997, substituted "This" for "The provisions of this" throughout.

ARTICLE 2. LICENSES.

REFERENCES

ADMINISTRATIVE CODE

21 Ala. Admin. Code 870-X-2-.01 et seq., Board of Examiners for Speech Pathology and Audiology; Licensure Registration and Authorization Process.

§ 34-28A-20. Required; licenses to be granted to qualified applicants. [AL ST SEC 34-28A-20]

Current through End of 2003 Organizational, Regular and 1st Special Session.

[Historical Notes](#) [References](#)

(a) Under no circumstances shall any person practice or represent himself or herself as a speech-language pathologist or audiologist in this state unless he or she is licensed in accordance with this chapter.

(b) Licensure shall be granted either in speech-language pathology or audiology if the applicant meets the respective qualifications.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, § 3; Acts 1997, No. 97-160, p. 218, § 3.)

HISTORICAL NOTES

HISTORY

Amendment notes:

The 1997 amendment, effective March 26, 1997, substituted "speech-language" for "speech" throughout; and in subsection (a) inserted "or herself", inserted "or she", and deleted "the provisions of" preceding "this chapter".

REFERENCES

LIBRARY REFERENCES

American Digest System:

Physicians and Surgeons ☒5(1), 6(1).

Corpus Juris Secundum:

C.J.S. Physicians, Surgeons, and other Health-Care Providers §§ 2-3, 5, 11-15, 18, 28.

§ 34-28A-21. Qualifications of applicants for licenses. [AL ST SEC 34-28A-21]

Current through End of 2003 Organizational, Regular and 1st Special Session.

Historical Notes References

To be eligible for licensure by the board as a speech-language pathologist or audiologist a person shall meet each of the following qualifications and requirements:

- (1) Be of good moral character.
- (2) Make application to the board on a form prescribed by the board.
- (3) Pay to the board the appropriate application fee.
- (4) Submit evidence of possession of at least a master's degree or the equivalent in speech-language pathology or audiology from an educational institution approved by the board.
- (5) Submit evidence of the successful completion of supervised clinical practicum experiences from an education institution or its cooperating programs which is approved by the board.
- (6) Submit evidence of the successful completion of postgraduate professional experience approved by the board as delineated in the rules and regulations of the board.
- (7) Pass an examination in speech-language pathology or audiology approved by the board.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, § 5; Acts 1981, No. 81-209, p. 250, § 4; Acts 1993, No. 93-205, p. 310, § 3; Acts 1997, No. 97-160, p. 218, § 3.)

HISTORICAL NOTES

HISTORY

Amendment notes:

The 1993 amendment, effective April 22, 1993, rewrote this section.

The 1997 amendment, effective March 26, 1997, in the introductory matter substituted "speech-language" for "speech", and in subdivision (5) corrected the spelling of "successful".

REFERENCES

LIBRARY REFERENCES

American Digest System:

Physicians and Surgeons ☒4.

Corpus Juris Secundum:

C.J.S. Physicians, Surgeons, and other Health-Care Providers §§ 19-20.

§ 34-28A-22. Applications for examination; application fee; applications for reexamination; performance of speech-language pathology and audiology services prior to action by board on application. [AL ST SEC 34-28A-22]

Current through End of 2003 Organizational, Regular and 1st Special Session.

(a) A person eligible for licensure under Section 34-28A-21 and desirous of licensure shall make application for examination to the board at least 30 days prior to the date of examination, upon a form and in a manner as the board prescribes, and shall mail or deliver the application to a permanent address set and made known to the general public by publication by the board.

(b) Any application shall be accompanied by the non-refundable fee prescribed in Section 34-28A-27.

(c) A person who fails an examination may make application for reexamination if he or she again meets the requirements of subsections (a) and (b).

(d) A person certified by the American Speech and Hearing Association (ASHA) or licensed under the law of another state, a territory of the United States, or the District of Columbia as a speech-language pathologist or audiologist who has applied for licensure under this section may perform speech-language pathology and audiology services in this state during the interim period of time prior to board action on that application.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, § 10; Acts 1997, No. 97-160, p. 218, § 3.)

HISTORICAL NOTES

HISTORY

Amendment notes:

The 1997 amendment, effective March 26, 1997, in subsection (a) substituted "a manner as the board prescribes, and shall mail or deliver the application" for "such manner as the board shall prescribe, and shall mail or deliver same"; in subsection (b) inserted "non-refundable", and deleted ", which fee shall in no case be refunded"; in subsection (c) inserted "or she", and deleted "of this section" following "(a) and (b)"; and in subsection (d) substituted "speech-language" for "speech" in two places.

REFERENCES

LIBRARY REFERENCES

American Digest System:

Physicians and Surgeons ☒4.

Corpus Juris Secundum:

C.J.S. Physicians, Surgeons, and other Health-Care Providers §§ 19-20.

§ 34-28A-23. Examination of applicants for licenses. [AL ST SEC 34-28A-23]

Current through End of 2003 Organizational, Regular and 1st Special Session.

(a) Applicants for licensure shall be examined at a time and place and under such supervision as the board may determine.

(b) The board may examine in whatever theoretical or applied fields of speech-language pathology and audiology it considers appropriate to the area of specialization and may examine with regard to the professional skills and judgment of a person in the

utilization of speech-language pathology and audiology techniques and methods.
(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, § 11; Acts 1981, No. 81-209, p. 250, § 4;
Acts 1997, No. 97-160, p. 218, § 3.)

HISTORICAL NOTES

HISTORY

Amendment notes:

The 1997 amendment, effective March 26, 1997, in subsection (b) substituted "speech-language" for "speech" in two places, substituted "the" for "a person's" following "with regard to", and inserted "of a person".

REFERENCES

ADMINISTRATIVE CODE

21 Ala. Admin. Code 870-X-3-.01 et seq., Board of Examiners for Speech Pathology and Audiology; Examination Process.

LIBRARY REFERENCES

American Digest System:

Physicians and Surgeons 4.

Corpus Juris Secundum:

C.J.S. Physicians, Surgeons, and other Health-Care Providers §§ 19-20.

§ 34-28A-24. Waiver of examination and granting of licenses. [AL ST SEC 34-28A-24]

Current through End of 2003 Organizational, Regular and 1st Special Session.

[Historical Notes](#) [References](#)

The board shall waive the examination and grant licensure to any person currently certified as clinically competent by ASHA in the area for which the person is applying for licensure upon payment of the licensing fee, provided ASHA requirements meet or exceed those of the State of Alabama, as determined by the board.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, § 12; Acts 1981, No. 81-209, p. 250, § 4; Acts 1985, No. 85-361, p. 304, § 3; Acts 1997, No. 97-160, p. 218, § 3; Act 2001-248, p. 296, § 3.)

HISTORICAL NOTES

HISTORY

Amendment notes:

The 1997 amendment, effective March 26, 1997, substituted "the" for "such" following "area for which".

The 2001 amendment, effective April 19, 2001, inserted the language following "licensing fee".

REFERENCES

ADMINISTRATIVE CODE

21 Ala. Admin. Code 870-X-3-.01 et seq., Board of Examiners for Speech Pathology and Audiology; Examination Process.

LIBRARY REFERENCES

American Digest System:

Physicians and Surgeons  4.

Corpus Juris Secundum:

C.J.S. Physicians, Surgeons, and other Health-Care Providers §§ 19-20.

§ 34-28A-25. Issuance and renewal of licenses; continuing education; inactive status. [AL ST SEC 34-28A-25]

Current through End of 2003 Organizational, Regular and 1st Special Session.

[Historical Notes](#) [References](#)

(a) The board shall issue a license certificate to each person whom it licenses as a speech-language pathologist or audiologist, or both. The certificate shall show the full name of the licensee and shall bear a serial number. The certificate shall be signed by the chair and secretary of the board under the seal of the board.

(b) The board shall adopt a program of continuing education not later than October 1, 1991, and, after that date, proof of compliance with the minimum requirements of the continuing education program shall be required as a condition of license renewal.

(c) Licenses shall expire on December 31 following their issuance or renewal and are invalid thereafter unless renewed. The board shall notify every person licensed under this chapter of the date of expiration and the amount of the renewal fee. This notice shall be mailed to his or her last known address at least one month before the expiration of the license. Every person licensed under this chapter shall, on or before January 1 of each year, pay a fee for renewal of license to the board. The board may, in the event payment exceeds a period of grace of 30 days, renew a license upon payment of the renewal fee plus a late renewal payment penalty. Failure on the part of any licensed person to pay his or her renewal fee before January 1 does not deprive him or her of his or her right to renew his or her license, but the fee to be paid for renewal after January 31 shall be increased by twenty dollars (\$20) for each month or fraction thereof that the payment is delayed, up to a maximum of twice the current renewal fee.

(d) A person who fails to renew his or her license within a period of two years after the date of expiration may not renew the license, and the license may not be restored, reissued, or reinstated thereafter, but the person may apply for and obtain a new license if he or she meets the requirements of this chapter.

(e) A licensee who wishes to place his or her license on an inactive status may do so by application to the board and by payment of a fee of one half of the renewal fee. An inactive licensee shall not accrue any penalty for late payment of the renewal fee that reactivates his or her license. The license may be held inactive for a maximum period of two years.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, § 13; Acts 1989, No. 89-234, p. 298, § 3;

Acts 1997, No. 97-160, p. 218, § 3; Act 2001-248, p. 296, § 3.)

HISTORICAL NOTES

HISTORY

Amendment notes:

The 1997 amendment, effective March 26, 1997, inserted "or her" following "him" or "his" throughout; in subsection (a) substituted "speech-language pathologist or audiologist, or both" for "speech pathologist and/or audiologist", and substituted "chair" for "chairman"; in subsection (b) substituted "that" for "said", and substituted "the" for "said" following "minimum requirements of"; in subsection (c) substituted "December 31" for "September 30", and substituted "January" for "October" throughout; in subsection (d) substituted "the" for "such" preceding "person may apply", and inserted a comma following "reissued"; and in subsection (e) substituted "twenty-five dollars (\$25)" for "\$25.00", and substituted "An" for "Such an".

The 2001 amendment, effective April 19, 2001, in subsection (a) substituted "licenses" for "registers"; in subsection (c) substituted "twenty dollars (\$20)" for "10 percent"; in subsection (d) deleted "its" preceding "expiration", and substituted "the license" for "it" in two places; in subsection (e) substituted "one half of the renewal fee" for "twenty-five dollars (\$25)"; and made nonsubstantive changes.

REFERENCES

ADMINISTRATIVE CODE

21 Ala. Admin. Code 870-X-4-.01 et seq., Board of Examiners for Speech Pathology and Audiology; License Renewal, Use of the License.

LIBRARY REFERENCES

American Digest System:

Physicians and Surgeons 5(2).

Corpus Juris Secundum:

C.J.S. Physicians, Surgeons, and other Health-Care Providers §§ 19, 21-24.

§ 34-28A-26. Suspension or revocation of licenses or issuance of reprimands to licensees; appeals; restoration of licenses revoked, reduction of suspensions, etc.
[AL ST SEC 34-28A-26]

Current through End of 2003 Organizational, Regular and 1st Special Session.

[Historical Notes](#) [References](#)

(a) The license of any licensee under this chapter may be suspended or revoked, or a reprimand may be issued by the board, upon a finding of the board that the licensee has committed any of, but not limited to, the following acts:

(1) Has been convicted of a felony in any court of the United States, if the acts for which the person is convicted are found by the board to have a direct bearing on whether the individual should be entrusted to serve the public as a speech-language pathologist or audiologist.

(2) Has been guilty of fraud or deceit in connection with his or her services rendered as a speech-language pathologist or audiologist.

(3) Has aided or abetted a person, not a licensed speech-language pathologist or audiologist, in illegally representing himself or herself as a speech-language pathologist or audiologist within this state.

(4) Has been guilty of unprofessional conduct as defined by the rules established by the board or has violated the code of ethics made and published by the board.

(5) Has used fraud or deception in applying for a license or in passing an examination provided for in this chapter.

(6) Has been grossly negligent in the practice of his or her profession.

(7) Has willfully violated any of the provisions of this chapter or any regulations adopted hereunder.

(b) No license shall be suspended or revoked or reprimand issued until after a hearing before the board. A notice of at least 30 days shall be served, either personally or by registered or certified mail, with the returned receipt signed by the addressee, to the licensee charged, stating the time and place of the hearing and setting forth the ground or grounds constituting the charges against the licensee. The licensee shall be entitled to be heard in his or her defense, either in person or by counsel, and may produce testimony and may testify in his or her own behalf. A record of the hearing shall be taken and preserved by the secretary of the board. The hearing may be adjourned from time to time. If, after due receipt of notice of a hearing, the licensee shall be unable to appear for good cause shown, then a continuance shall be granted by the board. The time allowed shall be at the discretion of the board, but in no instance shall it be less than two weeks from the originally scheduled date of the hearing. If the inability of the licensee to appear is due to circumstances beyond his or her control, then, at the discretion of the board, a mutually agreed upon date may be set for the hearing. If a licensee repeatedly fails or refuses to appear, the board may proceed to hear and determine charges in his or her absence. If a licensee pleads guilty or if, upon hearing the charges, five members of the board find them to be true, the board shall enter an order suspending or revoking the license or reprimanding the licensee, as the case may be. The board shall record its findings and order in writing.

(c) Any person who feels aggrieved by reason of the suspension or revocation of his or her license or of the reprimand or of the rejection of his or her application by the board may appeal to the board for a review of the case. If the board does not reverse itself at a hearing, then the aggrieved person may file a civil action within 30 days after receiving notice of the action of the board or of the order of the board in the Circuit Court of Montgomery County, Alabama or in the circuit court of the county of his or her residence to annul or vacate the action or the order of the board. The action shall be filed against the board as defendant, and service of process shall be upon either the chair or secretary of the board. The action shall be tried by the court and shall be a trial de novo, but the burden of proof shall be upon the plaintiff assailing the order of the board. The judgment of the circuit court may be appealed to the Supreme Court of Alabama in the same manner as other civil cases.

(d) Upon a vote of five of its members, the board may restore a license which has been revoked, reduce the period of a suspension, or withdraw a reprimand.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, § 15; Acts 1989, No. 89-234, p. 298, § 3;

HISTORICAL NOTES

HISTORY

Amendment notes:

The 1997 amendment, effective March 26, 1997, substituted "speech-language" for "speech" throughout; inserted "or her" following "his" throughout; in subsection (a) inserted "acts", in subdivision (3) inserted "or herself", and in subdivision (6) substituted a period for "; or"; in subsection (b) substituted "the" for "such" following "A record of"; in subsection (c), in the first sentence substituted "reprimand or of the" for "board's reprimand or of the board's" and inserted "by the board" following "application", in the second sentence deleted "such" preceding "a hearing", substituted "action of the board" for "board's action" and substituted "order of the board" for "board's order", and in the third sentence substituted "chair" for "chairman"; in subsection (d) inserted "a" preceding "suspension"; and made nonsubstantive changes.

REFERENCES

ADMINISTRATIVE CODE

- 21 Ala. Admin. Code 870-X-4-.01 et seq., Board of Examiners for Speech Pathology and Audiology; License Renewal, Use of the License.
- 21 Ala. Admin. Code 870-X-5-.01 et seq., Board of Examiners for Speech Pathology and Audiology; Board's Function as a Public Regulatory Body.
- 21 Ala. Admin. Code 870-X-6-.01 et seq., Board of Examiners for Speech Pathology and Audiology; Code of Ethics.

LIBRARY REFERENCES

American Digest System:

Physicians and Surgeons ☒11.

Corpus Juris Secundum:

C.J.S. Physicians, Surgeons, and other Health-Care Providers § 35.

§ 34-28A-27. Fees. [AL ST SEC 34-28A-27]

Current through End of 2003 Organizational, Regular and 1st Special Session.

[Historical Notes](#) [References](#)

(a) The board shall publish, in a manner the board deems appropriate, fees for all of the following purposes:

- (1) Application for examination.
 - (2) Initial licensing.
 - (3) Renewal of licensure.
 - (4) Late payment for renewal (monthly penalty).
 - (5) Registration of speech-language pathology assistants and audiology assistants.
 - (6) Late payment fees.
- (b) A qualified applicant for licensing who has successfully passed the examination

prescribed by the board and has paid the application, examination, and, if necessary, the reexamination fees, shall be licensed by the board as a speech-language pathologist or audiologist, or both. The application fee, examination fee, reexamination fee, licensing fee, late payment fees, and the annual renewal fee shall be in an amount fixed by the board. Fees may not be refunded to applicants or licensees under any circumstances.

(c) A qualified applicant for registration as a speech-language pathology assistant or audiology assistant who has paid the registration fee prescribed by the board shall be registered by the board as a speech-language pathology assistant or audiology assistant. The registration fee and the annual renewal fee shall be in an amount that is one half of the registration fee and annual renewal fee required of speech pathologists and audiologists respectively. Fees may not be refunded to applicants or registrants under any circumstances.

(d) The fee for issuance of a license issued to replace one that is lost, destroyed, mutilated, or revoked shall be fifteen dollars (\$15), and the fee shall accompany the application for a replacement license.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, § 14; Acts 1985, No. 85-361, p. 304, § 3; Acts 1989, No. 89-234, p. 298, § 3; Acts 1997, No. 97-160, p. 218, § 3; Act 2001-248, p. 296, § 3.)

HISTORICAL NOTES

HISTORY

Amendment notes:

The 1997 amendment, effective March 26, 1997, in subsection (a) substituted "for all of" for "in the amount prescribed by the legislature for", in subdivision (3) deleted "; and", and added subdivision (5); in subsection (b) substituted "speech-language" for "speech", and substituted "or audiologist, or both" for "and/or audiologist"; redesignated subsection (c) as subsection (d), and added new subsection (c); and in subsection (d), as so redesignated, substituted "ten dollars (\$10)" for "\$10.00"; and made nonsubstantive changes.

The 2001 amendments, effective April 19, 2001, in subsection (a) substituted "the board" for "it", and added subdivision (6); in subsection (b) inserted "late payment fees," and inserted "in" preceding "an amount fixed"; in subsection (c) substituted "one half" for "one-half"; in subsection (d) substituted "fifteen dollars (\$15)" for "ten dollars (\$10)"; and made nonsubstantive changes.

REFERENCES

LIBRARY REFERENCES

American Digest System:

Physicians and Surgeons ☒5(1).

Corpus Juris Secundum:

C.J.S. Physicians, Surgeons, and other Health-Care Providers §§ 12-13, 18.

ARTICLE 3. BOARD OF EXAMINERS.

REFERENCES

ADMINISTRATIVE CODE

21 Ala. Admin. Code 870-X-1-.01 et seq., Board of Examiners for Speech Pathology and Audiology; General Provisions.

21 Ala. Admin. Code 870-X-5-.01 et seq., Board of Examiners for Speech Pathology and Audiology; Board's Function as a Public Regulatory Body.

§ 34-28A-40. Creation; composition; qualifications, appointment and terms of office of members; meetings; quorum; vacancies; removal of members. [AL ST SEC 34-28A-40]

Current through End of 2003 Organizational, Regular and 1st Special Session.

[Historical Notes](#) [References](#)

(a) There is established as an independent agency of the executive branch of the government of the State of Alabama, the Alabama Board of Examiners for Speech-Language Pathology and Audiology.

(b) The board shall be comprised of seven members, who shall be appointed by the Governor from names submitted to the Governor by the association. Not more than one board member from any United States Congressional District shall be appointed to serve at the same time. Those persons nominated or appointed to serve on the board shall have been engaged in rendering services to the public, or teaching, or research, or any combination of service to the public, teaching, or research, in speech-language pathology or audiology, or both for at least five years immediately preceding their appointment. At least three board members shall be speech-language pathologists, at least three shall be audiologists, and one shall be a member of the consuming public or an allied professional. The six professional speech-language pathologist and audiologist board members shall at all times be holders of active and valid licenses for the practice of speech-language pathology and audiology in this state, except for the six members first appointed, who shall fulfill the requirements set forth in the appropriate provisions of Section 34-28A-21. The membership of the board shall be inclusive and reflect the racial, gender, geographic, urban/rural, and economic diversity of the state.

(c) The Governor shall appoint two board members for a term of one year, two for a term of two years, two for a term of three years, and one for a term of four years. Appointments made thereafter shall be for three-year terms, with no person being eligible to serve more than two full consecutive terms. Terms shall begin on October 1, except for the first appointee member, who shall serve through September 30 of the year in which he or she is appointed before commencing the terms provided by this subsection.

(d) The board shall meet during the month of October each year for the purposes of annual reorganization to select a chair and an executive secretary and to compile an annual report of business conducted during the previous year. Copies of the annual report shall be submitted to the Governor or his or her duly named representative and filed in the offices of the members of the board. Additionally, a report of the actions of the board shall be presented during the program of an annual meeting of the Speech and Hearing Association of Alabama. At least one additional meeting shall be held before the

end of each year. Further meetings shall be convened at the call of the chair or any two board members. All meetings shall be open to the public; except, that the board may hold closed sessions to prepare, approve, grade, or administer examinations or, upon a request of an applicant who has failed an examination, to prepare a response indicating the reason for failure.

(e) Four members of the board shall constitute a quorum to do business.

(f) When a vacancy on the board occurs, the Speech and Hearing Association of Alabama shall recommend not less than three persons to fill each vacancy, and the Governor shall make his or her appointment from the persons so nominated.

(g) The Governor may remove from office any member of the board for neglect of any duty required by this chapter, for incompetency, or for unprofessional conduct. (Acts 1975, 4th Ex. Sess., No. 90, p. 2756, § 6; Acts 1981, No. 81-209, p. 250, § 4; Acts 1993, No. 93-205, p. 310, § 3; Acts 1997, No. 97-160, p. 218, § 3.)

HISTORICAL NOTES

HISTORY

Amendment notes:

The 1993 amendment, effective April 22, 1993, deleted "hereby" preceding "established" in subsection (a); in subsection (b) inserted the present second sentence, in the third sentence substituted "or" for "and/or" throughout, inserted "or any combination of service to the public, teaching, or research," and inserted "or both"; substituted "he or she is" for "they are" in the last sentence of subsection (c); in subsection (d) substituted "chair" for "chairman" in two places, inserted "or her" in the second sentence, substituted "shall" for "will" in the third sentence, and inserted "the" following "indicating" in the last sentence; inserted "or her" in subsection (f); and in subsection (g), substituted "may" for "shall have power to."

The 1997 amendment, effective March 26, 1997, in subsection (a) substituted "Speech-Language" for "Speech"; and in subsection (b) substituted "speech-language" for "speech" in four places, and added the final sentence.

Code Commissioner's Notes

Section 2 of Acts 1989, No. 89-234 provides: "The existence and functioning of the Board of Examiners in Speech Pathology and Audiology, created and functioning pursuant to Sections 34-28A-1 through 34-28A-44, Code of Alabama 1975, is hereby continued, and said code sections are hereby expressly preserved."

Acts 1993, No. 93-205, § 2 provides: "The existence and functioning of the Alabama Board of Examiners for Speech Pathology and Audiology, created and functioning pursuant to Sections 34-28A-1 to 34-28A-44, inclusive, is continued, and those code sections are expressly preserved."

Acts 1997, No. 97-160, § 2, provides: "The existence and functioning of the Alabama Board of Examiners for Speech Pathology and Audiology, created and functioning pursuant to Sections 34-28A-1 to 34-28A-44, inclusive, Code of Alabama 1975, is continued, and those code sections are expressly preserved."

Act 2001-248, § 2 provides: "The existence and functioning of the Alabama Board of Examiners for Speech-Language Pathology and Audiology, created and functioning pursuant to Sections 34-28A-1 to 34-28A-44, inclusive, Code of Alabama 1975, is continued, and those code sections are expressly preserved."

REFERENCES

LIBRARY REFERENCES

American Digest System:

Physicians and Surgeons ☒5(1); States ☒45.

Corpus Juris Secundum:

C.J.S. Physicians, Surgeons, and other Health-Care Providers §§ 12-13, 18; States §§ 79-80, 82, 136.

§ 34-28A-41. Compensation of board members. [AL ST SEC 34-28A-41]

Current through End of 2003 Organizational, Regular and 1st Special Session.

[Historical Notes](#) [References](#)

Members of the board shall receive no compensation for their services, but may be reimbursed for necessary expenses pursuant to state regulations from funds derived from fees collected under this chapter or from other available revenue sources.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, § 9; Acts 1997, No. 97-160, p. 218, § 3.)

HISTORICAL NOTES

HISTORY

Amendment notes:

The 1997 amendment, effective March 26, 1997, substituted ", but" for "; provided, that they", and deleted "the provisions of" preceding "this chapter".

REFERENCES

LIBRARY REFERENCES

American Digest System:

Physicians and Surgeons ☒5(1).

Corpus Juris Secundum:

C.J.S. Physicians, Surgeons, and other Health-Care Providers §§ 12-13, 18.

§ 34-28A-42. Powers and duties of board generally; administrative fines. [AL ST SEC 34-28A-42]

Current through End of 2003 Organizational, Regular and 1st Special Session.

[Historical Notes](#) [References](#)

(a) The board shall administer, coordinate, and enforce the provisions of this chapter, evaluate the qualifications and supervise the examinations of applicants for licensure under this chapter and shall, at its discretion, investigate allegations of practices violating the provisions of this chapter.

(b) The board shall adopt rules and regulations relating to professional conduct commensurate with the policy of this chapter, including, but not limited to, regulations

which establish ethical standards of practice, and for other purposes, and may amend or repeal the same in accordance with the administrative procedures of this state. Following their adoption, the rules and regulations shall govern and control the professional conduct of every person who holds a license to practice speech-language pathology and audiology in this state.

(c) The board shall, by appropriate rules and regulations, make provisions for the continuing professional education of persons subject to this chapter, not later than October 1, 1991.

(d) Upon the request of any person, the board shall furnish a list of persons licensed under this chapter.

(e) The board shall promulgate rules and regulations necessary to provide for registration and supervision of applicants for licensure while the applicant is meeting the professional experience requirement enumerated in subdivision (4) of Section 34-28A-21.

(f) The conferral or enumeration of specific powers elsewhere in this chapter shall not be construed as a limitation of the general functions conferred by this section.

(g) The board is hereby authorized to discipline its licensees by the adoption and collection of administrative fines, not to exceed one thousand dollars (\$1,000) per violation, and is further authorized to institute any legal proceedings necessary to effect compliance with this chapter.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, § 7; Acts 1989, No. 89-234, p. 298, § 3; Acts 1997, No. 97-160, p. 218, § 3.)

HISTORICAL NOTES

HISTORY

Amendment notes:

The 1997 amendment, effective March 26, 1997, in subsection (b) substituted "the" for "such" preceding "rules and regulations", and substituted "speech-language" for "speech"; in subsection (c) inserted "rules and"; in subsections (c) and (d) deleted "the provisions of" preceding "this chapter"; in subsection (g) substituted "one thousand dollars (\$1,000)" for "\$1,000.00"; and made non-substantive changes.

REFERENCES

LIBRARY REFERENCES

American Digest System:

Physicians and Surgeons ☒5(1).

Corpus Juris Secundum:

C.J.S. Physicians, Surgeons, and other Health-Care Providers §§ 12-13, 18.

§ 34-28A-43. Adoption of bylaws and rules; seal; powers of board as to witnesses; institution of proceedings to enjoin or restrain violations of chapter and liability of board members therefor. [AL ST SEC 34-28A-43]

Current through End of 2003 Organizational, Regular and 1st Special Session.

(a) The board may adopt all bylaws and rules, not inconsistent with the constitution and laws of this state, reasonably necessary for the proper performance of its duties and the regulations of the proceedings before it.

(b) The board shall adopt and have an official seal.

(c) In carrying into effect this chapter, the board may, under the hand of its chair and the seal of the board, subpoena witnesses and compel their attendance and may also require them to produce books, papers, maps, or documents. Any member of the board may administer oaths of affirmation to witnesses appearing before the board. Witnesses officially called by the board shall receive the same compensation and shall be reimbursed for expenses in the same amount as the members of the board pursuant to Section 34-28A-41. If any person refuses to appear as a witness before the board, to testify, or to produce any books, papers, or documents, the board may present its petition to the Montgomery County Circuit Court, setting forth the facts, and thereupon the court shall, in a proper case, issue a subpoena to the person, requiring his or her attendance before the circuit court and there to testify or to produce those books, papers, and documents as may be deemed necessary and pertinent by the board. Any person failing or refusing to obey the subpoena or order of the circuit court may be proceeded against in the same manners as for refusal to obey any other subpoena or order of the court.

(d) The board is empowered to apply for relief by injunction, without bond, to restrain any person, partnership, or corporation from the commission of any act which is prohibited by this chapter. Application for an injunction may be made to the Circuit Court of Montgomery County, Alabama or the circuit court of the county in which it is alleged that the violation is occurring. The members of the board shall not be personally liable for instituting any proceedings.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, § 15; Acts 1997, No. 97-160, p. 218, § 3.)

HISTORICAL NOTES

HISTORY

Amendment notes:

The 1997 amendment, effective March 26, 1997, in subsection (a) substituted "may adopt" for "shall have the power to make", and deleted "which may be" preceding "reasonably necessary"; in subsection (c), in the first sentence deleted "the provisions of" preceding "this chapter" and substituted "chair" for "chairman", in the third sentence substituted "Witnesses" for "Such witnesses" and substituted "pursuant to" for "as provided and set out in", in the fourth sentence substituted "refuses" for "shall refuse", substituted "the board, to testify, or" for "said board or refuse to testify or refuse", substituted "Montgomery County Circuit Court" for "circuit court of the county in which the state capitol is located", substituted "the" for "such" in three places, inserted "or her" and substituted "those" for "such", and in the fifth sentence substituted "the" for "said" in two places; in subsection (d) substituted "an" for "said" following "Application for", and deleted "such" preceding "proceedings"; and made nonsubstantive changes.

REFERENCES

LIBRARY REFERENCES

American Digest System:

Injunction ☒89(5); Physicians and Surgeons ☒5(1).

Corpus Juris Secundum:

C.J.S. Injunctions §§ 133-135; Physicians, Surgeons, and other Health-Care Providers §§ 12-13, 18.

§ 34-28A-44. Employment, discharge, etc., of executive secretary and other officers and employees; admissibility in evidence of copies of proceedings, records, etc., of board; monthly report and disposition of revenues received under chapter; payment of administrative expenses of board, employee salaries, etc. [AL ST SEC 34-28A-44]

Current through End of 2003 Organizational, Regular and 1st Special Session.

Historical Notes References

(a) The board may employ, and at its pleasure discharge, an executive secretary and other officers and employees as may be necessary, and the board shall also outline their duties and fix their compensation and expense allowances.

(b) The board shall adopt a seal by which it shall authenticate its proceedings. Copies of the proceedings, records and acts of the board, and certificates purporting to relate the facts concerning the proceedings, records, and acts signed by the secretary and authenticated by the seal shall be prima facie evidence in all the courts of this state.

(c) The board shall report to the state Comptroller by the fifth day of each month the amount and source of all revenue received by it pursuant to this chapter during the previous month and shall at that time pay the entire amount thereof into a separate trust fund for the board established by the Comptroller within the State Treasury.

(d) All appropriate expenses incurred by the board in the administration of this chapter shall be paid by the Comptroller when vouchers relating to the expenses are exhibited as having been approved by the board.

(e) The board shall be financed from income accruing to it from fees, licenses and other charges, and funds collected by the board, and all such moneys are appropriated to the board for its use. All employee salaries and other expenses shall be paid as budgeted after budgets are approved by the Comptroller or within the limitations of any appropriation or funds available for that purpose.

(Acts 1975, 4th Ex. Sess., No. 90, p. 2756, § 8; Acts 1997, No. 97-160, p. 218, § 3.)

HISTORICAL NOTES

HISTORY

Amendment notes:

The 1997 amendment, effective March 26, 1997, in subsection (a) substituted "other" for "such"; in subsection (b) substituted "the" or "such" following "facts concerning", and substituted "the" for "said" following "authenticated by"; in subsection (c) substituted "by the Comptroller" for "upon the enactment of this chapter", and deleted the final sentence; in subsection (d) deleted "the provisions of" preceding "this chapter",

and substituted "the" for "such" following "related to"; in subsection (e) deleted "hereby" preceding "appropriated", and inserted "for its use"; and made nonsubstantive changes.

REFERENCES

LIBRARY REFERENCES

American Digest System:

Physicians and Surgeons 5(1).

Corpus Juris Secundum:

C.J.S. Physicians, Surgeons, and other Health-Care Providers §§ 12-13, 18.

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July 27, 2004

Mr. John E. Norris, Director
Operation Division Department of Public Accounts
P.O. Box 302251
Montgomery, AL 36130-2251

Dear Mr. Norris:

In response to your correspondence dated July 20, 2004, listing items to be presented to the Sunset Committee, the Alabama Board of Examiners for Speech-Language Pathology & Audiology (ABESPA/Board), responds as follows:

SIGNIFICANT ITEMS

1. ABESPA is sending to the Sunset Committee proposed changes to Alabama Code §34-28A-21 (1975), that addresses the qualifications for licensure. (See attached.)
2. ABESPA is in the process of seeking part-time help for telephone and other general clerical duties. This will assist in addressing the licensees expressed difficulty in reaching the Board via the telephone.

STATUS OF PRIOR FINDINGS

Receipts were not deposited in a timely manner in some cases because renewal applications were not complete. It was the policy of the Board to hold a licensee's check/payment until license renewal was complete. However, beginning with the 2004-05-renewal period, all renewal applications that are not complete will be returned to the licensee with the check and a non-compliance letter.

If further information is needed, please contact our office.

Sincerely,

Wanda C. Rawlinson
Executive Secretary

PROPOSED
AMENDMENT

TO THE

LAW OF

THE ALABAMA BOARD OF EXAMINERS FOR
SPEECH-LANGUAGE PATHOLOGY
AND
AUDIOLOGY

LAW AS WRITTEN:

Code of Alabama §34-28A-21 (1975)

To be eligible for licensure by the board as a speech-language pathologist or audiologist a person shall meet each of the following qualifications and requirements:

- (1) Be of good moral character.
- (2) Make application to the board on a form prescribed by the board.
- (3) Pay to the board the appropriate application fee.
- (4) Submit evidence of possession of at least a master's degree or the equivalent in speech-language pathology or audiology from an education institution approved by the board.
- (5) Submit evidence of the successful completion of supervised clinic practicum experiences from an educational institution or its cooperating programs which is approved by the board.
- (6) Submit evidence of the successful completion of postgraduate professional experience approved by the board as delineated in the rules and regulations of the board.
- (7) Pass an examination in speech-language pathology or audiology approved by the board.

PROPOSED CHANGES TO RELEVANT SECTIONS:

Code of Alabama §34-28A-21 (1975)

- (4) Applicants for the speech-language pathology license shall submit the following:
 - (a) evidence of possession of at least a master's degree in speech-language pathology from an institution approved by the board;
 - (b) evidence of the successful completion of supervised clinic practicum experiences from an educational institution or its cooperating programs which is approved by the board;
 - (c) and evidence of the successful completion of postgraduate professional experience approved by the board as delineated in the rules and regulations of the board.
- (5) Applicants for the audiology license whose master's degree was earned and conferred prior to January 1, 2007 shall submit the following:
 - (a) evidence of possession of at least a master's degree in audiology from an education institution approved by the board;
 - (b) evidence of the successful completion of supervised clinic practicum experiences from an educational institution or its cooperating programs which is approved by the board;

(c) and evidence of the successful completion of postgraduate professional experience approved by the board as delineated in the rules and regulations of the board.

(6) Applicants for the audiology license whose degree was earned and conferred **after** January 1, 2007 shall submit the following:

- (a) evidence of possession of a doctoral degree in audiology from an education institution approved by the board;
- (b) and evidence of the successful completion of supervised clinic practicum experiences from an educational institution or its cooperating programs which is approved by the board as delineated in the rules and regulations of the board.

JUSTIFICATION:

1. The requirement of the doctoral degree for a license in audiology **after** January 1, 2007 reflects a shift in the profession toward doctoral entry into the field of audiology. Pursuant to the current study of audiology, students move from a bachelor's degree to a doctoral degree **without** a master's degree in between. The fourth year of study is devoted to clinical training on a 40-hour per week basis, totaling over 1800 hours of supervised clinical training prior to graduation. **The change in the law is needed because after January 1, 2007 a master's degree in audiology will no longer be an option for students pursuing a degree in audiology.** The American Speech & Hearing Association (ASHA) has set January 1, 2007 as the deadline date for all audiology education programs to offer a doctoral degree, not a master's degree, to obtain accreditation.
2. Applicants for an audiology license **before** January 1, 2007 will not have to meet the doctoral degree requirement. The master's degree will be accepted along with the other requirements for licensure, which includes the completion of a nine-month full time Clinical Fellowship Year post-degree.
3. Applicants for a license in speech-language pathology must still have at least a master's degree in speech-language pathology and complete a nine-month full time Clinical Fellowship Year post-degree.